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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 M. AILEEN MORNINGSTAR, *et al.*,

7 Plaintiffs,

8 v.

9 QIU JIANPING, *et al.*,

10 Defendants.
11

Case No. 2:13-CV-00427-KJD-GWF

ORDER

12 Before the Court is Plaintiff M. Aileen Morningstar *et al.*'s Motion for Constructive Trust
13 (#144). Defendants opposed (#147) and Plaintiffs replied (#148).

14 Plaintiffs acknowledge that they

15 fully appreciate that if the Nevada District Court grants preliminary approval of the
16 proposed settlement in [the related] action, and if the Nevada District Court overrules
17 Plaintiffs' objections to that illusory settlement, and if the Nevada District Court
grants final approval of that settlement, Plaintiffs [*sic*] claims on behalf of RINO in
this Action will be released.

18 (#96; 10:17-21).

19 The Court granted final approval of the settlement in 2:10-CV-02209-KJD-GWF on
20 August 9, 2013 (#163). Accordingly, but in an abundance of caution, the Court **HEREBY**
21 **DENIES** Plaintiff's Motion for Constructive Trust (#144) without prejudice.

22 DATED this 10th day of December 2013.
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Kent J. Dawson
United States District Judge